

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

ROCKWOOD MUSIC CORPORATION,

Case No.

Debtor.
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**DECLARATION OF KENNETH ROCKWOOD PURSUANT
TO LOCAL BANKRUPTCY RULE 1007-2**

Kenneth Rockwood declares the following under penalties of perjury pursuant to 28 U.S.C. §1746:

1. I am the president of Rockwood Music Corporation (the “Debtor”), and as such, I am fully familiar with the facts and circumstances set forth herein.

2. I respectfully submit this Declaration in support of the Debtor’s Chapter 11 filing, to provide pertinent information regarding the exigent circumstances prompting the bankruptcy case.

3. The Debtor and its affiliate, Kenrock Enterprises LLC (“Kenrock”), have operated a popular music venue on the Lower East Side of Manhattan, known as Rockwood Music Hall. For eighteen years, contemporary artists have played and performed a variety of musical genres ranging from rock and roll to hip hop to jazz on multiple stages.

4. The Debtor’s business was profoundly impacted by the Covid-19 pandemic and has not yet recovered. Due to diminished revenues, the Debtor became subject to sales tax lien enforcement proceedings, as well as defaults under its commercial lease. The Debtor has been unable to obtain a further extension from the state taxing authority regarding enforcement proceedings. Therefore, the Debtor is now compelled to file an emergency Chapter 11

Subchapter V petition to preserve going concern value of the Music Hall. The Debtor shall file all additional required schedules, statements and other related Chapter V submissions shortly.

Local Rule 1007-2 Disclosures

5. Pursuant to Local Rule 1007-2(a)(3), no committee of creditors was formed prior to the filing of the Petition.

6. Pursuant to Local Rule 1007-2(a)(4), a list of the Debtor's twenty largest creditors will be included as part of the Debtor's bankruptcy schedules to be filed shortly. A list of the known names and addresses of creditors is filed with the Petition.

7. Pursuant to Local Rule 1007-2(a)(5), the Debtor has several secured creditors holding UCC liens, including the U.S. Small Business Association and WebBank, all of which will be set forth in the Schedule of Secured Creditors to be filed shortly.

8. Pursuant to Local Rule 1007-2(a)(6), the Debtor's assets and liabilities will be set forth in the bankruptcy schedules to be filed shortly but are comprised principally of the leases and operating equipment and fixtures.

9. Pursuant to Local Rule 1007-2(a)(7), I am the sole equity interest holder in the Debtor.

10. Pursuant to Local Rule 1007-2(a)(8), a receiver has not been appointed with respect to the Property.

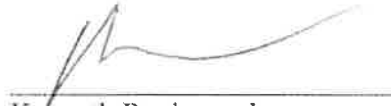
11. Pursuant to Local Rule 1007-2(a)(9), the Debtor leases premises from Allen/Orchard LLC as landlord pursuant lease with the Debtor and Kenrock as joint tenants, originally dated December 2005, as subsequently amended.

12. Pursuant to Local Rule 1007-2(a)(10), the Debtor's books and records are located at the Debtor's business offices at 196 Allen Street, New York, NY.

13. Pursuant to Local Rule 1007-2(a)(11), the Debtor is subject to the pending tax lien enforcement proceeding instituted by the New York State Department of Taxation and Finance.

14. Pursuant to Local Rule 1007-2(a)(12), I am the sole equity interest holder in the Debtor.

Dated: New York, NY
February 9, 2023


Kenneth Rockwood

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CORPORATE RESOLUTION

WHEREAS, at a special meeting of the Shareholders and Directors of Rockwood Music Corporation (the "Company") held on February 9, 2023, and after motion duly made and carried, it was:

RESOLVED, that the Company is authorized to file for relief under the provisions of Subchapter C of Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York; and it is further

RESOLVED, that Kenneth Rockwood is hereby authorized, directed and empowered to execute and deliver, on behalf of the Company, the bankruptcy petition and all documents and other instruments that may be required in connection with the bankruptcy proceeding, and to do all such other things, on behalf of the Company, as may be required in connection with the Chapter 11, Subchapter V, proceeding; and it is further

RESOLVED, that the Company is authorized to retain Kevin J. Nash and the firm of Goldberg Weprin Finkel Goldstein LLC as its bankruptcy counsel.

Dated: New York, NY
February 9, 2023

Rockwell Music Corporation

By: 

Name: Kenneth Rockwood

Title: President